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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/083,134 | 02/27/2002 | Tomi Heinonen | 4208-4064 | 3405 |
| 27123 | 7590 | 03/07/2005 | EXAMINER | |
| MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101 | | | COLLINS, SCOTT M | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2145 | |

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------------|---------------------------------|--|
| Office Action Summary | Application No. 10/083,134 | Applicant(s) HEINONEN ET AL. | |
| | Examiner Scott M. Collins | Art Unit 2145 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-37 examined.
2. It is hereby acknowledged that the following papers have been received and placed of record in the file: Amendment on 09/14/2004.

Response to Arguments

3. Applicant's arguments filed 09/14/2004 have been fully considered but they are not persuasive.
4. In response to argument A, the Examiner agrees that Mandato "fails to disclose a mobile, wireless terminal..." and this is why the Examiner formulated a 35 U.S.C. 103(a) rejection for these limitations. In the instances where this type of limitation appears in a 35 U.S.C. 102(a) rejection, the Examiner has cited Mandato figure 6 which clearly shows mobile wireless terminals being used within Mandato's system.
5. In response to argument B, the Examiner agrees that Mandato "fails to disclose a user editing a profile in his mobile terminal" and this is why the Examiner formulated a 35 U.S.C. 103(a) rejection for these limitations. As applicant admits, Heinonen discloses that "the editing and updating of Personal Profiles can be performed using the user interface of user's mobile terminal." In the instances where this type of limitation appears in a 35 U.S.C. 102(a) rejection, the Examiner has cited Mandato figure 6 which clearly shows mobile wireless terminals being used within Mandato's system.
6. In response to argument C, the Examiner agrees that Mandato "fails to disclose transmitting user profiles from a wireless terminal to an inquiring terminal" and this is why the Examiner formulated a 35 U.S.C. 103(a) rejection for these limitations. In the instances where

this type of limitation appears in a 35 U.S.C. 102(a) rejection, the Examiner has cited Mandato figure 6 which clearly shows mobile wireless terminals being used within Mandato's system.

7. In response to argument D, the Examiner agrees that Mandato "fails to disclose an inquiring terminal transmitting SDP inquiries to access user profiles" and this is why the Examiner formulated a 35 U.S.C. 103(a) rejection for these limitations.

8. The remainder of applicant's arguments are either repetitions of those discussed hereinabove or are arguments regarding limitations in independent claims that actually appear only in dependent claims.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

10. Claims 1, 26, 33-34, and 37 are rejected under 35 U.S.C. 102(a) as being anticipated by Mandato et al., European Patent Application EP 1130869 A1 (herein referred to as Mandato).

11. Referring to claim 1, Mandato has taught a method in a user's short-range wireless terminal for sharing the user's personal profile with an inquiring wireless terminal in a wireless network (Mandato figure 6), comprising:

- a. installing the user's personal profile in a database of the user's short-range wireless terminal (Mandato page 9, paragraphs 80-85; page 10, paragraph 91);

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- b. editing the personal profile in a database of the user's short-range wireless terminal in response to the user's input (Mandato figure 6; page 9, paragraphs 80-85; page 10, paragraph 91); and
 - c. transmitting the user's personal profile from the user's short-range wireless terminal to an inquiring wireless terminal (Mandato page 9, paragraphs 80-85; page 10, paragraph 91).
- 12. Referring to claim 26, Mandato has taught the method wherein the user's short-range wireless terminal and the inquiring wireless terminal register with a server (Mandato figure 6 where the server is shown to mediate all communication between the terminals).
- 13. Referring to claim 33, Mandato has taught a mobile terminal containing personal profiles for access by other terminals in a short-range wireless communication system, comprising:
 - a. a database containing user defined profiles (Mandato figure 6);
 - b. database-managing apparatus to edit the user-defined personal profiles based upon user input (Mandato figure 6 and page 9, paragraphs 80-85; page 10, paragraph 91);
 - c. screen display apparatus which displays the personal profiles for user access (Mandato figure 6 devices with screens); and
 - d. apparatus responsive to inquiries from other terminals for access to the user defined profiles (Mandato page 9, paragraphs 80-85; page 10, paragraph 91);
- 14. Referring to claim 34, Mandato has taught the terminal further comprising:
 - e. records defining each profile stored in the database (Mandato figure 6 where databases are filled with records).
- 15. Referring to claim 37, Mandato has taught the terminal further comprising:

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- h. remote profile storing apparatus which stores the user defined profiles in a remote centralized database for access by the user via a network (Mandato figure 6).

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 2-25, 27-32, 35-36, and 380-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mandato in view of Haartsen, "Bluetooth– The universal radio interface for ad hoc, wireless connectivity".

18. Referring to claim 2, Mandato has not expressly disclosed any teaching regarding Bluetooth. Haartsen has taught about Bluetooth and various Bluetooth devices (Haartsen figures 1 and 9 for specific device examples). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Bluetooth to connect short-range wireless terminals. One of ordinary skill in the art would have been motivated to do this because, as Haartsen teaches throughout his article, Bluetooth is an excellent and efficient protocol for connecting short-range wireless terminals (Haartsen abstract and page 110, columns 1-2).

19. Referring to claim 3, Haartsen has taught the method which further comprises setting the user's short-range wireless terminal in a state to permit the user's personal profile to be accessed by inquiring wireless terminals (Haartsen pages 114-115, 'Piconets' section).

20. Referring to claims 4 and 14, Mandato has taught the method wherein installing the user's personal profile further comprises installing a standardized form of the user's personal

profile into the same type of records (Mandato pages 12-13, paragraphs 97-109 where a standard profile entry form is detailed).

21. Referring to claim 5, Mandato taught the method wherein said installing the user's profile further comprises including a list of user interest in the records defined by a plurality of fields, each field including a series of attributes, where each attribute is defined by a name, a type, and a value (Mandato pages 12-13, paragraphs 97-109 where a large variety of information can be included in the profile).

22. Referring to claim 6, Mandato taught the method wherein said installing the user's profile further comprises including a bit mask characterizing each specified interest (Mandato pages 12-13, paragraphs 97-109 where since the data consists of bits, different interests would be specified by different bits which equate to bit masks).

23. Referring to claim 7, Mandato taught the method wherein said installing the user's profile further comprises storing a full complement of personalization data in one record (Mandato pages 12-13, paragraphs 97-109 where a large variety of information can be included in the profile).

24. Referring to claim 8, Mandato has taught the method which further comprises filtering incoming messages (Mandato figure 6 where the server filters and disperses messages to their intended destinations).

25. Referring to claim 9, Mandato has taught the method wherein said editing the personal profile stored in the user's terminal further comprises displaying an index screen in the user's terminal to enable the user to access a process screen for editing and removing keywords related to the processes; and editing and updating the personal profiles using a user interface of the

user's terminal (Mandato page 10, paragraph 91; and figure 6 where the devices have screens and means to update any processes or profiles.).

26. Referring to claim 10, Mandato has taught the method further comprising:

- a. uploading the personal profiles via a network and storing them at a centralized database (Mandato page 9, paragraphs 80-85; and page 10, paragraph 91);
- b. enabling editing of the personal profiles on a computer coupled to the centralized database (Mandato figure 6 and); and
- c. downloading the edited personal profiles to the user's terminal (Mandato page 10, paragraph 91).

27. Referring to claim 11, Mandato has taught the method wherein said installing the user's profile further comprises installing the user's personal profile into a database divided into a phone book section containing the user's personal profile and a more detailed data section for detailed personal information (Mandato page 9, paragraphs 80-85, specifically paragraph 82).

28. Referring to claim 12, Mandato has taught the method wherein said installing the user's personal profile further comprises writing generic information such as name and contact information into the phone book section (Mandato page 9, paragraphs 80-82).

29. Referring to claim 13, Mandato has taught the method wherein said installing the user's personal profile further comprises writing detailed personal information into the more detailed data section, such as sports interest and hobby interests (Mandato page 9, paragraphs 80-85; page 11, paragraph 91).

30. Referring to claims 15 and 17, Mandato has not expressly disclosed object exchange (OBEX) transaction or extended markup language (XML), but both the Examiner takes Official

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Notice that both of these formats were well known in the art at the time the invention was made.

31. Referring to claim 16, Mandato has taught the method wherein said responding step further comprises sending the user information from the user's phonebook, encoded in a vCard electronic business card format (Mandato page 9, paragraph 82; page 12, paragraphs 97-105 where the vCard format was well known in the art at the time the invention was made).

32. Referring to claims 18-20 and 23, Mandato has taught the method wherein the user's short-range wireless terminal transfers information from the user's personal profile in a pull or push model to the inquiring wireless terminal and wherein the user's short-range wireless terminal transfers general information to the user's personal profile in a push or pull model to the inquiring wireless terminal, without authentication or encryption (Mandato page 9, paragraph 80-85; and pages 10-11, paragraph 91 where information is delivered by either of these two well-known methods.). Mandato has not expressly disclosed by name the pull or push model of transferring information, but the Examiner takes Official Notice that these methods were well known at the time the invention was made and it would have been obvious to one of ordinary skill in the art to utilize them.

33. Referring to claims 21-22 and 24-25, Mandato has not any information regarding encryption and only a small amount of information regarding authentication. Haartsen has taught the method wherein more detailed, private information in the user's profile is protected by authentication and encryption (Haartsen page 115, 'Establishing connection' section; and page 117, 'Authentication and Encryption' section).

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34. Referring to claim 27, Haartsen has taught the method wherein the server provides matchmaking via Bluetooth links to the short-range wireless terminal and the inquiring wireless terminal based on having registered with the server (Haartsen page 115, 'Establishing connection' section; figures 1 and 9).

35. Referring to claim 28, Haartsen has taught the method wherein the registering includes checking user qualifications for matchmaking (Haartsen page 115, 'Establishing connection' section; figures 1 and 9).

36. Referring to claim 29, Haartsen has taught the method wherein when two registered users attempt exchanging privacy sensitive information, they link to the server to obtain a PIN, thereby enabling a Bluetooth authentication procedure for both the short-range wireless terminal and the inquiring wireless terminal (Haartsen page 117, 'Authentication and Encryption' section).

37. Referring to claims 30-32, Mandato has taught the method wherein the user's short-range wireless terminal shares general information in its personal profile with the inquiring wireless terminal (Mandato page 5, paragraph 34; and pages 10-11, paragraph 91). Mandato has not expressly disclosed the distinction of the user profiles having a first or second level of close matching. However, it would have been obvious to one of ordinary skill in the art that sharing of more general information requires that the second party be authenticated up to a certain level and the sharing of more private information requires a higher level of authentication.

38. Referring to claim 35, Mandato has taught the terminal further comprising a personalization apparatus which sets the terminal in a personalization state to permit access by other terminals in a transaction (Mandato page 10, paragraph 91 where access is permitted to other terminals). Mandato has not expressly disclosed the method for permitting access to the

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terminal as a personalization apparatus. However, the Examiner takes Official Notice that it would have been obvious to one of ordinary skill in the art at the time the invention was made to denote Mandato's method as such.

39. Referring to claim 36, Mandato has not expressly disclosed searching for other terminals. Haartsen has disclosed the terminal further comprising a searching apparatus which searches the short-range communication network for other terminals having matching personal profiles (Haartsen pages 114-115, 'Piconets' section). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize this standard method of Bluetooth that Haartsen has taught within Mandato's system. One of ordinary skill in the art would have been motivated to do this because, as Haartsen teaches throughout his article, Bluetooth is an excellent and efficient protocol for connecting short-range wireless terminals (Haartsen abstract and page 110, columns 1-2).

40. Referring to claim 38, Mandato has taught a system for sharing a user's personal profile with an inquiring wireless terminal in a short-range wireless network (Mandato figure 6), comprising:

- a. a wireless device including a database containing a user's personal profile (Mandato page 9, paragraphs 80-85; page 10, paragraph 91);
- b. an inquiring wireless terminal capable of connecting to the wireless device via a short-range wireless network (Mandato page 9, paragraphs 80-85; page 10, paragraph 91);
- c. personalization apparatus which sets the wireless device in a personalization state to permit access by inquiring wireless terminals in a transaction (Mandato page 9, paragraphs 80-85; page 10, paragraph 91); and

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41. Referring further to claim 38, Mandato has not expressly disclosed matching apparatus in the wireless device which shares general information in the user's personal profile with the inquiring wireless terminal, if their respective user profiles have a first level of close matching. Haartsen has disclosed the terminal further comprising a matching apparatus which searches the short-range communication network for other terminals having matching personal profiles (Haartsen pages 114-115, 'Piconets' section). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize this standard method of Bluetooth that Haartsen has taught within Mandato's system. One of ordinary skill in the art would have been motivated to do this because, as Haartsen teaches throughout his article, Bluetooth is an excellent and efficient protocol for connecting short-range wireless terminals (Haartsen abstract and page 110, columns 1-2).

42. Referring to claim 39, Mandato has taught the system further comprising a service discovery protocol records stored in the database (Mandato pages 12-13, paragraphs 97-109 where a standard profile entry form is detailed).

43. Referring to claims 40-41, Mandato has not expressly disclosed the system wherein the user's wireless device shares more detailed, private information in the user's personal profile with the inquiring wireless terminal, if their respective user profiles have a second level of close matching, which is closer than the first level and wherein the user's device shares information in its personal profile with the inquiring wireless terminal, if their respective user profiles match within a predefined tolerance. Haartsen has disclosed the terminal further comprising a matching apparatus which searches the short-range communication network for other terminals having matching personal profiles (Haartsen pages 114-115, 'Piconets' section). At the time the

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invention was made, it would have been obvious to a person of ordinary skill in the art to utilize this standard method of Bluetooth that Haartsen has taught within Mandato's system. One of ordinary skill in the art would have been motivated to do this because, as Haartsen teaches throughout his article, Bluetooth is an excellent and efficient protocol for connecting short-range wireless terminals (Haartsen abstract and page 110, columns 1-2).

44. Referring to claim 42, Mandato has taught the system wherein a standardized form of the user's personal profile is contained in the service discovery protocol (SDP) records (Mandato pages 12-13, paragraphs 97-109 where a standard profile entry form is detailed).

45. Referring to claims 43-44, Mandato has taught the system wherein a list of user interests is contained in the SDP records and wherein the SDP records are defined by a plurality of fields, each field including a series of attributes, where each attribute is defined by a name, a type, and a value (Mandato pages 12-13, paragraphs 97-109 where a large variety of information can be included in the profile).

Conclusion

46. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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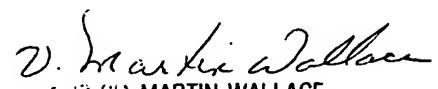
however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott M. Collins whose telephone number is 571.272.3934. The examiner can normally be reached on Mon.-Fri. 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 571.272.6159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

smc
February 14, 2005


VALENCIA MARTIN-WALLACE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700